

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 2556

AN ORDINANCE AMENDING CHAPTER II, ARTICLE VI, SECTION 2-55 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "ADMINISTRATION, ADMINISTRATIVE POLICIES AND PROCEDURES, PROCEDURES FOR APPROVAL OF CLAIMS"

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter II, Article VI, Section 2-55 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. ~~2-55 PROCEDURES FOR APPROVAL OF CLAIMS.~~ **2-55 PROCEDURES FOR PROCUREMENT AND APPROVAL OF CLAIMS.**

~~2-55.1 Procedure for Submission of Claim.~~

~~Any person claiming payment from the Borough of Roselle Park shall first submit a detailed statement of the items or demands necessitating such claim to the responsible executive agency, specifying particularly how the bill or demand is made up, and a certification of the party claiming payment that it is correct. No bill, claim or demand shall be considered for payment unless the voucher has attached to it (or includes) a certification from a designated Borough employee having personal knowledge of the facts that the goods have been received by or the services rendered to the Borough of Roselle Park and that those services or goods are consistent with an existing contract or purchase order. The Chief Financial Officer shall have the duty to audit, warrant and make recommendations on all claims and bills.~~

~~2-55.2 Presentation of Bill to Clerk; Examination.~~

~~The bill or claim duly certified shall be presented to the Municipal Clerk for inclusion in the proceedings of the first formal meeting of the month of the Governing Body, and it shall be the duty of the Clerk to examine all bills or claims submitted for payment in order to ascertain if proper administrative procedures have been followed.~~

~~2-55.3 Approval or Rejection of Claim by Council.~~

~~Claims shall be considered by the Council, which shall approve the same, except that the Governing Body may reject any claim presented to it, stating the reason for such rejection. Any tie votes may be broken by vote of the Mayor. Any disapproved claim shall be referred back to the Municipal Clerk with such instructions as the Governing Body may give at the time of disapproval.~~

~~2-55.4 Record of Claims.~~

~~It shall be the duty of the Municipal Clerk to record all claims in the official minutes or through an appropriate claims register, indicating that the Governing Body has by formal action approved the same, with appropriate records as to any claims disapproved or rejected. All records pertaining to approved or disapproved bills or claims shall be available for public inspection.~~

~~2-55.5 Order for Disbursement.~~

~~The Chief Financial Officer shall make disbursements upon receipt of an order by Borough Council, attested by the Municipal Clerk. In the event that the Mayor vetoes the payment of any claims or bills, the Chief Financial Officer may be authorized to make payment by a vote of the Borough Council whereby at least two thirds (2/3) of all the Councilmembers vote to override such veto of any claim or bill.~~

~~2-55.6 Preparation and Signing of Checks.~~

~~After the Municipal Clerk has certified that the claims have been approved, the Clerk shall turn the same over to the Chief Financial Officer, who shall forthwith prepare the necessary checks for the payment thereof, which checks shall be signed by the Mayor and Clerk and thereafter by the Chief Financial Officer. After preparing checks for the payment of claims, the Chief Financial Officer shall record them in proper books of account and thereafter mail the checks to the claimants.~~

SECTION 2. 2-55.1 Purpose.

The purpose of the forgoing section of the Code shall be to establish and revise the general procedures used by the Borough of Roselle Park to purchase goods and services. Likewise, it is intended to establish a standard of operation for all Departments, Boards, Committees, Commissions, and entities, individually and collectively, which are subordinate to the governing body as a whole.

SECTION 3. 2-55.2 Update of Day-to-Day Policies and Best Practices.

The Qualified Purchasing Agent shall work in concert with the Chief Financial Officer and the Registered Municipal Accountant (Auditor) of the Borough of Roselle Park to establish, update, and review policies of internal control that are in the best interests of the Borough of Roselle Park consistent with all prevailing laws and the procedures set forth in this Section.

SECTION 4. 2-55.3 General Procurement Procedure.

a. For purchases less than the Quotation Threshold:

1. Departments and other end-user entities of the Borough of Roselle Park must submit a completed requisition with substantiating materials attached to the Qualified Purchasing Agent who shall review the same for completeness. Upon approval of the requisition, a Purchase Order shall be generated and signed by the Chief Financial Officer, Assistant Treasurer, and Qualified Purchasing Agent, and delivered to the vendor associated with the provision of goods or services outlined within the initial requisition. Upon receipt of a signed Purchase Order and original invoice from the vendor, authorized representatives of end-user entities must certify the delivery of goods and services to the Department of Finance, who shall then present the claim for payment to the governing body.

b. For purchases equal to or greater than the Quotation Threshold, but less than the Bidding Threshold:

1. Departments and other end-user entities of the Borough of Roselle Park must submit a completed requisition with at least two (2) competitive quotes, in accordance with N.J.S.A. 40A:11-6.1.a, to the Qualified Purchasing Agent who shall review the same for completeness. Upon approval of the requisition, a Purchase Order shall be generated and signed by the Chief Financial Officer, Assistant Treasurer, and Qualified Purchasing Agent, and delivered to the vendor associated with the provision of goods or services outlined within the initial requisition. Upon receipt of a signed Purchase Order from the vendor and original invoice, authorized representatives of end-user entities must certify the delivery of goods and services to

the Department of Finance, who shall than present the claim for payment to the governing body.

c. For purchases greater than the Bidding Threshold:

1. Departments and other end-user entities shall determine the need for goods or services above the Bidding Threshold and submit technical specifications to the Qualified Purchasing Agent along with pricing estimates. This may include consultation with members of the governing body during budgeting stages, or as otherwise necessary.
2. The Qualified Purchasing Agent shall compile and create a bidding package for consideration of prospective vendors, and shall advertise the receipt of sealed bids in accordance with N.J.S.A. 40A:11-23. Upon the receipt and opening of sealed bids, the Qualified Purchasing Agent shall make a recommendation to the governing body, in consultation with the end-user entity, for the award or rejection of bids in accordance with the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

Procurements considered of a “Public Works” nature, as defined by the New Jersey Local Public Contracts Law, shall be overseen and managed by the Borough Engineer, unless otherwise designated by the governing body, in consultation with the Qualified Purchasing Agent.

3. The governing body shall award all contracts in excess of the Bidding Threshold by Resolution. Upon receipt of a Resolution ordering contract award, a Purchase Order shall be generated and signed by the Chief Financial Officer, Assistant Treasurer, and Qualified Purchasing Agent, and delivered to the vendor associated with the provision of goods or services outlined within the Resolution. Upon receipt of a signed Purchase Order from the vendor and original invoice, authorized representatives of end-user entities must certify the delivery of goods and services to the Department of Finance, who shall than present the claim for payment to the governing body.

SECTION 5. 2-55.4 Payment of Claims.

- a. The Chief Financial Officer shall compile and submit a complete and certified listing of claims for payment to the governing body for their approval at Regular and Special Open Public Meetings, as necessary.
- b. Upon approval of claims by the governing body, the Chief Financial Officer shall ensure the prompt preparation of all checks for payment thereof. Checks shall be signed by the Chief Financial Officer, Borough Clerk, and Mayor, and thereafter mailed to claimants.

SECTION 6. 2-55.5 Contract Signatories.

- a. Contracts with a value less than the Bidding Threshold shall be signed and formally entered into by the Qualified Purchasing Agent on behalf of the Borough of Roselle Park.
- b. Contracts with a value equal to or greater than the bidding threshold, and any contracts requiring formal approval by the governing body, shall be signed and formally entered into by the Mayor on behalf of the Borough of Roselle Park.

SECTION 7. 2-55.6 Environmentally Preferable Purchasing Policy.

- a. It is the policy of the Borough of Roselle Park to institute practices that reduce waste by increasing procured product efficiencies and effectiveness. Products that are purchased are intended, to the extent practical, to minimize environmental impacts toxins, pollution, and hazards to worker and community health and safety. Products which include recycled content, exhibit durable and long-lasting qualities, conserve energy and water, use agricultural fibers and residues, reduce greenhouse gas emissions, use unbleached or chlorine free manufacturing processes, are lead-free and mercury-free, and use wood from sustainably harvested forests, are considered to be preferable as a matter of policy.
- b. It is the intent of the Borough of Roselle Park to encourage increased use of environmentally preferable products and services. Policy objectives, as intended by this subsection, are as follows:
 1. Conserve Materials.
 2. Minimize environmental impacts such as pollution and use of water and energy;
 3. Eliminate or reduce toxics that create hazards to workers and the community;
 4. Support strong recycling markets;
 5. Reduce materials that are routinely land filled or disposed of;
 6. Increase the use and availability of environmentally preferable products that protect the environment;
 7. Reward manufacturers and vendors with contracts that reduce environmental impacts in their production and distribution systems or services;
 8. Collect and maintain up-to-date information regarding manufacturers, vendors and other sources for locating/ordering environmentally preferable products;
 9. Create a model for successfully purchasing environmentally preferable products that encourages other purchasers in the market to adopt similar goals.

- c. The Borough of Roselle Park Green Team shall assist end-user Borough of Roselle Park agencies with research, evaluation, and implementation of environmentally conscious purchasing objectives. The Green Team shall specifically focus on objectives which include the evaluation and consideration of: recycled content products, non-toxic products, energy and water efficient products, natural resource management, pollution reduction, product packaging, and environmentally considerate construction.
 - 1. It is recognized that new technologies are constantly emerging, many of which reveal innovative methods for attaining the objectives outlined herein. Therefore, as deemed most practical, the specifications for review and implementation of the same shall be more specifically set forth by Resolution of the governing body.
 - 2. As applicable, successful bidders shall certify, in writing, that the environmental attributes claimed in competitive bids are accurate.
- d. The priority of the Borough of Roselle Park shall be the health and safety of workers and citizens of the municipality and shall take precedence over all other policies and practices.

Nothing contained in this policy shall be construed as requiring a department, purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time. Furthermore, nothing contained in this policy shall be construed as requiring the Borough of Roselle Park, department, purchaser or contractor to take any action that conflicts with local, state or federal requirements.

SECTION 8. Invalidity.

If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

SECTION 9. Inconsistent Ordinances Repealed.

All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 10. Captions.

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

SECTION 11. Effective Date.

This amendment to the Code of the Borough of Roselle Park shall become effective on January 1, 2019.